

REMARKS/ARGUMENTS

Claims 17-41 are pending in this application.

The Examiner has rejected claims 17-20, 23-27, 31, 32 34 and 35 under 35 U.S.C. 102(b) as being anticipated by Adachi et al. (US2002/0161551).

Applicant submits that Adachi relates to a base station computer 3 that aggregates information from a number of controllers 2 mounted on remote hydraulic excavators 1 via a satellite communication system 6 or the like.

Applicant submits that Adachi represents the conventional approach of having a client controller connected to a machine and the client controller then feeds data to a central server. The central server then aggregates the data in a database, which can be accessed to provide reports. This conventional arrangement is in contrast to the embodiments of the present invention in which a machine monitoring device is connected to a machine and the machine monitoring device acts as a server. As such, the machine monitoring device includes a database and report generating means locally. Since the machine monitoring device acts as a server, convenient access by remote client computing devices is available.

As a particular example, Examiner has described the memory 2d in the controller 2 of Adachi as reading on the database system of present claim 17. Applicant submits that one of skill in the art would not describe the memory 2d as being a "database". In fact,

Adachi makes this distinction because the memory 2d and the database 100 in the base station center server 3 are described differently at paragraph 105 and at paragraph 112. If memory 2d was a database, Applicant submits that Adachi would have described it as such.

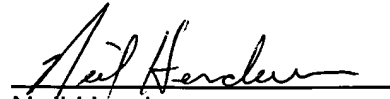
In light of the above remarks, Applicant submits that Adachi does not include at least a machine monitoring device comprising a database system and a report generating means as claimed in, for example, claim 1.

As such, applicant submits that the independent claims 1 and 35 are in condition for allowance. For similar reasons, as well as the additional limitations contained therein, claims dependent on these independent claims are also believed to be in condition for allowance. As the Examiner has indicated that claims 36 and 37 are allowed, Applicant submits that all claims are now in condition for allowance.

CONCLUSION

In view of the foregoing comments, it is respectfully submitted that the application is now in condition for allowance. Favourable action on this application is respectfully requested. If the Examiner has any further concerns regarding the language of the claims or the applicability of the cited references, the Examiner is invited to contact the undersigned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Neil Henderson", is written over a horizontal line.

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